

3984
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3 BILL NO. S-78-03-04

4 SPECIAL ORDINANCE NO. S- 38-78

5 AN ORDINANCE approving an agreement with
6 the County of Allen, State of Indiana for
7 the purchase by the City of certain real
8 estate owned by the County which is no
9 longer required or satisfactory for the
10 business or recreational purposes of said
11 county.

12 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
13 INDIANA:

14 SECTION 1. That the Agreement to Convey Real Estate, dated
15 February 14, 1978 between the City of Fort Wayne, by and through its
16 Board of Public Works, and the County of Allen, State of Indiana, by
17 and through its Board of County Commissioners, for the conveyance by
18 said county to the City of the following described real estate in
19 Allen County, Indiana, to wit:

20 The East $\frac{1}{2}$ of Lot 220, Lewis Addition to the City
21 of Fort Wayne, Allen County, Indiana. (Commonly
22 known as 443 E. Masterson, Fort Wayne, Indiana.)

23 Lot 223, Lewis Addition to the City of Fort Wayne,
24 Allen County, Indiana. (Commonly known as 501 E.
25 Masterson, Fort Wayne, Indiana.)

26 The West $\frac{1}{2}$ of Lot 229, Lewis Addition to the City
27 of Fort Wayne, Allen County, Indiana. (Commonly
28 known as 537 E. Masterson, Fort Wayne, Indiana.)

29 Lot 229, Except the West 30', Lewis Addition to
30 the City of Fort Wayne, Allen County, Indiana.
31 (Commonly known as 541 E. Masterson, Fort Wayne,
32 Indiana.)

33 The South $\frac{1}{2}$ of Lot 203 Lewis Addition to the City
34 of Fort Wayne, Allen County, Indiana. (Commonly
35 known as 1812 and 1814 Clay Street, Fort Wayne,
Indiana.)

Lot 198, Lewis Addition to the City of Fort Wayne,
Allen County, Indiana. (Commonly known as 526 and
528 E. Wallace, Fort Wayne, Indiana.)

Lot 42, Out Lot 11 Fletcher's Addition to the City
of Fort Wayne, Allen County, Indiana. (Commonly
known as 1439 S. Anthony Blvd., Fort Wayne, Indiana.)

For the consideration of One (\$1.00) Dollar and other good and valuable
consideration, subject to the ratification of this body and of the
County Council of said county, all as more particularly set forth in

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

5744

1 said agreement which is on file in the office of the Board of Public
2 Works and is by reference incorporated herein and made a part hereof,
3 be and the same is hereby in all things ratified, confirmed and
4 approved.

5 SECTION 2. That this Ordinance shall be in full force and
6 effect from and after its passage and approval by the Mayor.

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8 
9 _____
10 Councilman

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18 APPROVED AS TO FORM
19 AND LEGALITY.

20 _____
21 CITY ATTORNEY
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Read the first time in full and on motion by Nuckols, seconded by Hingis, and duly adopted, read the second time by title and referred to the Committee on Public Parks (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 3-14-78

Charles W. Winterman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>2</u>	_____	<u>1</u>	_____
<u>BURNS</u>	<u>'</u>	<u>X</u>	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	<u>X</u>	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	<u>X</u>	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 3-28-78

Charles W. Winterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ZONING MAP) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE
(~~RESOLUTION~~) No. S-38-78 on the 28th day of March, 1978,
ATTEST: (SEAL)

Charles W. Winterman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th
day of March, 1978, at the hour of 3 o'clock P M., E.S.T.

Charles W. Winterman
CITY CLERK

Approved and signed by me this 30th day of March, 1978,
at the hour of 3 o'clock _____ M., E.S.T.

Rahel Khatibong
MAYOR

Bill No. S-78-03-04

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance
approving an agreement with the County of Allen, State of Indiana for
the purchase by the City of certain real estate owned by the County which
is no longer required or satisfactory for the business or recreational
purposes of said county

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

JOHN NUCKOLS - CHAIRMAN

PAUL M. BURNS - VICE CHAIRMAN

WINFIELD C. MOSES, JR.

DONALD J. SCHMIDT

JAMES S. STIER

DATE 3-28-78 CONCURRD IN
CHANCE

65-236-21 2/15/78

AGREEMENT TO CONVEY REAL ESTATE

WHEREAS, the County of Allen is the owner in fee of the following described real estate:

The East 1/2 of Lot 220, Lewis Addition to the City of Fort Wayne, Allen County, Indiana.
(Commonly known as 443 E. Masterson, Fort Wayne, Indiana).

Lot 223, Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 501 E. Masterson, Fort Wayne, Indiana).

The West 1/2 of Lot 229, Lewis Addition to the City of Fort Wayne, Allen County, Indiana.
(Commonly known as 537 E. Masterson, Fort Wayne, Indiana).

Lot 229, Except the West 30', Lewis Addition to the City of Fort Wayne, Allen County, Indiana.
(Commonly known as 541 E. Masterson, Fort Wayne, Indiana).

The South 1/2 of Lot 203 Lewis Addition to the City of Fort Wayne, Allen County, Indiana.
(Commonly known as 1812 and 1814 Clay Street, Fort Wayne, Indiana).

Lot 198, Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 526 and 528 E. Wallace, Fort Wayne, Indiana).

Lot 42, Out Lot 11 Fletcher's Addition to the City of Fort Wayne, Allen County, Indiana.
(Commonly known as 1439 S. Anthony Blvd., Fort Wayne, Indiana).

Which real estate is no longer required or satisfactory for the County's business or recreational purposes, and

WHEREAS, the County desires to sell said surplus real estate to the City of Fort Wayne, a City located in the County of Allen, to be used by the City of Fort Wayne for its own particular purposes; and

WHEREAS, the City of Fort Wayne desires to purchase said real estate for its own particular purposes, now therefore

IT IS HEREBY AGREED, by and between the County of Allen and the City of Fort Wayne that in consideration of One Dollar (\$1.00)

and other valuable consideration, receipt of which is hereby acknowledged, the County of Allen hereby agrees to convey the following described real estate:

The East 1/2 of Lot 220 Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 443 E. Masterson, Fort Wayne, Indiana).

Lot 223, Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 501 E. Masterson, Fort Wayne, Indiana).

The West 1/2 of Lot 229, Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 537 E. Masterson, Fort Wayne, Indiana).

Lot 229, Except the West 30', Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 541 E. Masterson, Fort Wayne, Indiana).

The South 1/2 of Lot 203, Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 1812 and 1814 Clay Street, Fort Wayne, Indiana).

Lot 198, Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 526 and 528 E. Wallace, Fort Wayne, Indiana).

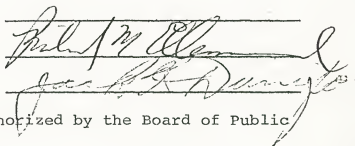
Lot 42, Out Lot 11 Fletcher's Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 1439 S. Anthony Blvd., Fort Wayne, Indiana).

to the City of Fort Wayne, subject to the ratification of said sale by adoption of ordinances by the Common Council of the City of Fort Wayne and by the County Council of Allen County, pursuant to I.C. 18-5-3-1.

This agreement adopted and authorized by resolution of the Board of Commissioners of the County of Allen on the 14th day of February, 1978.

(Commissioners Minute Book 45, Page)

BOARD OF COUNTY COMMISSIONERS



This agreement adopted and authorized by the Board of Public

Works of the City of Fort Wayne on this 15 day of February,
1978.

BOARD OF PUBLIC WORKS

Henry B. Weinberg
Edward H. Dutton
Max G. Lord



City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Mayor Robert E. Armstrong Date 3-22-78
From Charles W. Westerman - City Clerk
Subject Appearance before Common Council 3-28-78

COPIES TO:

BILL NO. S-78-03-04

AN ORDINANCE approving an agreement with the County of Allen, State of Indiana for the purchase by the City of certain real estate owned by the County which is no longer required or satisfactory for the business or recreational purpose of said county

Pursuant to the request of the Standing Committee Chairman of Public Works of the Common Council, the presence of Henry P. Wehrenberg - Chairman of the Board of Public Works, is respectfully requested on March 28, 1978, at 7:00 P.M., Room 128, Common Council Conference Room.

More information is requested regarding the conveyance of property between the County and the City of Fort Wayne.

Your cooperation will be greatly appreciated.

*Read
3/22/78
WKR*

5787
TITLE OF ORDINANCE SPECIAL ORDINANCE - AGREEMENT TO CONVEY REAL ESTATE FROM ALLEN COUNTY COMM.
TO BOARD OF PUBLIC WORKS.

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

2-78-03-04

SYNOPSIS OF ORDINANCE AGREEMENT TO CONVEY REAL ESTATE (SEVEN PARCELS) FROM ALLEN COUNTY

COMMISSIONERS TO THE BOARD OF PUBLIC WORKS:

KNOWN AS:

- | | |
|--|---------------------------|
| 1. E 1/2 OF LOT 220, LEWIS ADDITION | - 443 E. MASTERSON |
| 2. LOT 223 LEWIS ADDITION | - 501 E. MASTERSON |
| 3. W 1/2 LOT 229, LEWIS ADDITION | - 537 E. MASTERSON |
| 4. LOT 229, EX. W 30' | - 541 E. MASTERSON |
| 5. S 1/2 LOT 203 LEWIS ADDITION | - 1812 & 1814 CLAY STREET |
| 6. LOT 198, LEWIS ADDITION | - 526 & 528 E. WALLACE |
| 7. LOT 42, OUT LOT 11, FLETCHER'S ADDITION | - 1439 S. ANTHONY BLVD. |

(ALL OF THE ABOVE-DESCRIBED PROPERTY TO BE GIVEN TO BOARD OF PUBLIC WORKS FOR THE CONSIDERATION
OF \$1.00)

(COPY OF AGREEMENT ATTACHED HERETO)

EFFECT OF PASSAGE ACQUISITION OF ABOVE-DESCRIBED REAL ESTATE, WHICH IS LOCATED DIRECTLY
ACROSS FROM PRESENT WATER MAINTENANCE FACILITIES. LAND IS AVAILABLE AND IN DESIRABLE LOCATION
FOR FUTURE EXPANSION OF WATER MAINTENANCE OPERATIONS AND/OR THE LAFAYETTE STREET COMPLEX.

EFFECT OF NON-PASSAGE LAND WOULD HAVE TO BE ACQUIRED AT A FUTURE DATE, AT WHICH TIME THE
COST OF SAME WOULD NOT BE ECONOMICALLY FEASIBLE.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$1.00

ASSIGNED TO COMMITTEE _____

EP *Dickens*